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DECADE FOR NATURAL DISASTER
REDUCTION

International Decade for Natural Disaster Reduction

Report of the Secretary-General

SUMMARY

In response to the request formulated by the General Assembly in its resolution 50/117 A of 20 December 1995, the present report contains information on the implementation of the International Framework of Action for the International Decade for Natural Disaster Reduction. The report provides an overview of critical needs for enhancing the distinct programme and coordination capabilities of the International Framework of Action in relation to major strategic challenges in the fields of sustainable development and humanitarian assistance. It presents opportunities for action to meet those needs by improving the recognition of natural disaster reduction as a cross-cutting issue of sustainable development. The report relates natural disaster reduction to the United Nations coordinated approach to the implementation of global action plans in the context of the evaluation and overall review of Agenda 21, and contains proposals on the structure and contents of the preparatory process for the closing event of the Decade, to be convened before the year 2000.

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I. INTRODUCTION

1. Since the proclamation by the General Assembly, in its resolution 44/236 of 22 December 1989, of the International Decade for Natural Disaster Reduction, concerted international efforts have been made to reduce the effects of natural disasters and similar emergencies through the International Framework of Action for the Decade (resolution 44/236, annex). The Yokohama Strategy for a Safer World, adopted by the World Conference on Natural Disaster Reduction, held in Yokohama, Japan, in May 1994, and endorsed by the General Assembly in its resolution 49/22 A of 2 December 1994, contains the guiding principles and provides a plan of action for the realization of the Decade's goals in local communities and at the national, regional and international levels.

2. A variety of contributors from all involved sectors have become partners in applying the concept of the Decade. General Assembly resolutions 49/22 A and 49/22 B of 20 December 1994, the last biennial report on activities submitted to the General Assembly at its fiftieth session (A/50/201-E/1995/74), and the report on early-warning capacities of the United Nations system with regard to natural disasters (A/50/526) have provided specific examples of disaster-reduction activities being pursued around the world. Those reports have highlighted the need for more effective coordination in disseminating and applying disaster-reduction knowledge and action.

3. The report to the General Assembly at its fiftieth session on financial issues of the International Decade for Natural Disaster Reduction (A/50/521) pointed to the need for improved funding security for all aspects of the Decade and for effective synergies within the Department of Humanitarian Affairs of the Secretariat.

4. In adopting resolution 50/117 A of 20 December 1995, the General Assembly reiterated the importance of convening a closing event of the Decade. The event would facilitate the full integration of disaster reduction into sustainable development and environmental protection by the year 2000 and would map a comprehensive strategy for disaster reduction in the twenty-first century. In this respect, disaster reduction is related to agendas for national measures and to international cooperation in implementing the action plans of the recent United Nations thematic conferences.

5. The General Assembly further requested the Secretary-General to submit proposals on how the distinct programme and coordination capability of the secretariat of the Decade might be enhanced so as to enable it to effectively coordinate the activities of the Decade and promote the integration of natural disaster reduction into the sustainable development process.

II. PROGRESS IN DISASTER REDUCTION

6. Early in the Decade, the international scientific community took the lead, within the framework of the Decade, to demonstrate the feasibility of systematic natural disaster reduction for the protection of national assets and development accomplishments. Practical targets were established by the Scientific and

Technical Committee of the Decade, which remain as valid today as when they were conceived at the beginning of the Decade. Based on the overall recognition by the Member States of the United Nations of the merits of disaster reduction, many countries are proceeding to attain those targets through their own policy initiatives and through the commitment of essential human and material resources. Other countries are still in the process of recognizing the threat posed by natural disasters and of developing preventive strategies in order to protect their national assets.

7. Organizations of the United Nations system have contributed significant policy initiatives and have initiated programmes to promote disaster-reduction practices. These examples have been specifically referred to in earlier reports to the General Assembly. A comprehensive overview of activities will be provided in the regular biennial report on the Decade, to be presented to the General Assembly at its fifty-second session.

8. The major United Nations conferences convened in the 1990s have highlighted the need to build national and local capacities in order firmly to integrate disaster-reduction measures into sustainable development programmes. The first of these, the United Nations Conference on Environment and Development, held in Rio de Janeiro in 1992, produced the global framework for sustainable development in Agenda 21.

9. Since the Rio Conference, the Conference on the Sustainable Development of Small Island Developing States, held in Barbados, and the World Conference on Natural Disaster Reduction, held in Yokohama in 1994, successive global commitments have been made at the International Conference on Population and Development, held in Cairo in 1994; the World Summit for Social Development (Copenhagen, 1995); the Fourth World Conference on Women (Beijing, 1995), and most recently, the Second United Nations Conference on Human Settlements (Istanbul, June 1996). One notable outcome of the Yokohama Conference was the Yokohama Strategy and Plan of Action, which can best be achieved by integrating it with the coordinated implementation of action plans of the other international conferences.

10. The commitment to concerted international action for disaster reduction has broadened the appeal of disaster reduction. Natural hazards are recognized as having an intrinsic relationship with human-induced phenomena, such as technological or ecological conditions, which have an adverse impact on the environment. The effects of natural hazards, environmental degradation and sustainable development are also seen to contribute to involuntary mass movements of populations.

11. The process has benefited, in particular, from the commitment and participation of the developing countries in the Decade and in the World Conference on Natural Disaster Reduction in Yokohama. The developing countries have been active both on the political front, through the mechanism of the Group of 77, and through the practical involvement of all sectors of their society at the local, national, subregional and regional levels. The Group of 77 has recognized that disaster reduction can reduce the need for disaster relief and contribute effectively to the achievement of sustainable development.

12. Accelerated recognition of disaster reduction is also being encouraged by recent technological and commercial developments. The countries of the Group of Seven, working in a partnership with the information technology industry, have identified improved natural hazard warnings and communications as one priority area of interest, in conjunction with the opportunity of sharing technology with developing countries. As rapid advances in international telecommunications and information technology become global and more accessible to all Member States at reasonable cost, they will make possible the real-time dissemination of disaster-reduction experience and practices. In this context, multi-sectoral efforts towards an international convention on coordinated telecommunications use in disaster mitigation and response must be encouraged.

13. A few examples will demonstrate the vitality and range of interests that are now incorporating disaster awareness and reduction practices into mainstream activities. Experiences are being shared from recent disasters like the great Hanshin-Awaji earthquake, which struck Kobe in Japan in January 1995. Based on this and similar experiences, the United States of America and Japan recently agreed that natural disaster reduction should be included on the countries' common agenda for cooperation at the highest level. Both countries pledged to strengthen international networks for exchanging early warning data on natural disasters and also to share technical experience gained from lessons about seismic hazards. Japan has also taken an initiative with its partners in Asia to improve disaster prevention, preparedness and mitigation on the basis of the lessons learned from the Kobe earthquake.

14. Sharing experiences and information among industrialized and developing countries provided the rationale for bringing together a wide range of professions and representatives of the International Framework of Action of the International Decade for Natural Disaster Reduction to the Pan-Pacific Conference on Natural Hazards in 1996 in Vancouver, Canada. The meeting, which was organized by private organizations, industry, non-governmental organizations and national and local government officials, brought together participants involved in disaster-reduction activities from North and South America, Asia and the Pacific. This is a significant example of how international collaboration can join public policy makers, local community interests and commercial concerns for sharing of disaster-reduction experiences.

15. Similar meetings sponsored jointly by regional institutions and Governments have been held during the past year in South America, in the Commonwealth of Independent States (CIS) and in the Pacific. Other events will be held in Europe.

16. The national association responsible for promoting Decade affairs in South Africa convened a subregional conference in March 1996. The meeting explicitly linked disaster reduction with national development objectives. In addition to fostering efforts for disaster reduction within South Africa, the participation of officials from southern Africa also provided an impetus to the strengthening of regional relationships.

17. Both China and the United States have increased their efforts to implement national strategies for disaster mitigation. In each case, there was a common

recognition that neither of these countries' economies could continue to remain as vulnerable to the increasing severity of natural disasters.

18. In many countries, often with external support, the policy and technical requirements of disaster reduction are also being addressed at the national level. Resulting activities include national programmes of risk assessment, the establishment of institutional abilities with a designated national authority to address disaster reduction or conducting an inventory of existing professional resources available within a country. These developments are often integrated in, or resulting from, regional or intergovernmental collaboration such as within the European Union (EU) or CIS.

19. Perhaps most importantly, more countries are analysing their human resource requirements for disaster mitigation and are taking measures to provide the necessary education and training. Programmes such as the Disaster Management Training Programme, jointly conducted by the Department of Humanitarian Affairs and the United Nations Development Programme (UNDP), have demonstrated how the cost-effective investment of resources into risk analysis and preventive capabilities can initiate programmes which are integrated into national planning.

20. In the private sector, both small, local enterprises and major international corporations are more aware of the need to reduce their vulnerability to natural disasters. They are increasingly developing countermeasures that ensure their business continuity. In some countries, engineering firms have identified expanding markets in hazard assessment, earth observation technology and risk management. This has often developed as a result of environmental impact assessments and dialogue between the public and private sectors.

21. Major international re-insurance firms have mounted advertising campaigns, directed towards public policy authorities and private investors alike, to inform about the benefits of disaster mitigation. Similarly, local insurance agencies are becoming more active in risk management by advising communities how to safeguard dwellings from cyclone or flood damage. Elsewhere, insurance interests are teaming up with public officials to give greater emphasis to the social and physical vulnerabilities of human settlements and infrastructure investment, when drafting legislation on land-use planning, natural resource management and environmental protection. An international conference sponsored by the Decade was held in Vladivostok, in the Russian Federation, in 1996 to address the issue of the insurance and disaster mitigation.

22. Progress to date has not been uniform, nor has it been consistent throughout the world. However, what must be appreciated and capitalized upon at the present stage of the Decade is the increasing diversity and variety of initiatives in the field of disaster reduction. Many of those initiatives are generated and undertaken outside activities of the United Nations, but they are indirectly the result of the promotional role which the United Nations system has played in fostering those developments. There is a noticeable growth in the perceived relevance of disaster reduction by all concerned sectors, with particular emphasis in the private domain. This suggests that the ultimate success of the Decade will rest more with the actions and commitments of those

international, national and local community partners which exist beyond the United Nations. With the Decade entering its eighth year in 1997, it becomes necessary to consolidate these interests even more firmly. The closing event of the Decade, and in particular the process leading up to it, provide the mechanism.

23. The United Nations retains a critical role in ensuring that the momentum that has developed for enhancing natural disaster reduction in the world is maintained. The impact of individual initiatives should not become limited through isolated knowledge. The United Nations system must encourage information exchange to enhance education, training and the transfer of knowledge and technology.

24. The time has now arrived to consolidate existing progress in natural disaster reduction and link it firmly with economic and social development and environmental protection, which together form the mutually reinforcing components of sustainable development. With the Decade, the United Nations has established a mechanism to support the international community's efforts to achieve social stability and economic well-being.

III. PROCESS FOR PROGRAMME DEVELOPMENT

A. Basic needs

25. The World Conference on Natural Disaster Reduction determined the development of a comprehensive and effective strategy for disaster reduction beyond the Decade and into the twenty-first century as the key requirement for the remaining years of the Decade. Action in this respect has to start now, and in a coordinated and structured fashion. As elaborated in the report on the Decade to the General Assembly at its fiftieth session, this strategy will have to encompass both substantive and organizational aspects. It should emerge as the result of a process with full participation of all concerned sectors. A critical need to be pursued for institutional consolidation is the identification and active engagement of key collaborating and/or sponsoring organizations presently involved in various aspects of implementing disaster reduction throughout the world. The current International Framework for Action for the Decade provides the initial basis to proceed.

26. Options for future forms of organization after the Decade has come to a close need to be developed. These may include the establishment of an appropriate private facility. Possibilities include an international non-governmental organization, a foundation underwritten by national Governments and other concerned bodies, or an internationally recognized centre of excellence accommodated by a university or technical institution. The options will also have to recognize the ongoing interests and responsibilities of the United Nations system and intergovernmental organizations.

27. The International Decade for Natural Disaster Reduction must encourage all such initiatives and evaluate their potential in the process towards the closing event. The secretariat for the Decade will explore those feasibilities expeditiously.

B. The closing event of the Decade

28. General Assembly resolution 49/22 A already provides the mechanism to initiate the process of international coordination towards the evaluation of the Decade's success and the options for sustained disaster reduction activities in the future. By that resolution, the Assembly decided to convene an event before the year 2000 to carry out an overall review of the accomplishments of the Decade and to map a strategy for continued disaster reduction activities into the twenty-first century. This decision was confirmed and further elaborated during the fiftieth session of the Assembly with the adoption of resolution 50/117 A, in which the Assembly noted the need for sectoral and cross-sectoral meetings to facilitate the full integration of disaster reduction into the substantive efforts for sustainable development and environmental protection by the year 2000.

29. The closing event of the Decade will be the culmination of a process that started with the preparatory phase in 1987. The Decade has been conceived by the scientific sector and adopted by the United Nations system as a concept and mechanism within humanitarian and development activities. It has also been applied by entities outside the United Nations system. Consequently, the closing event itself, and the process leading towards it, will on the one hand be an integral part of United Nations formal action and will also draw upon sectors outside the United Nations. The closing event and its preparatory process will have to be productive and cost-effective.

C. The preparatory process

30. The closing event of the Decade will be convened under the auspices of the United Nations. Its structure, including the preparatory activities, will be based on the successful experience of the Yokohama Conference, which adopted a multidisciplinary approach to ensure participation of all concerned sectors of society, assembled within the International Framework of Action for the Decade.

31. The process towards the closing event will be built around a preparatory committee with equitable regional composition, which will develop the agenda for the closing event, its precise framework of participation, its intended outcome and proposals for the follow-up into the twenty-first century. The preparatory committee will organize two to three meetings in Geneva, in 1997, 1998 and, if necessary, in 1999. The work of the Preparatory Committee will take into account the work of committees for the Decade, the results of regional preparatory activities and other relevant entities as appropriate.

32. In addition to the formal preparatory process, maximum use will be made of thematic or regional events beyond the United Nations system to include seminars, workshops, symposia or conferences relevant to natural disaster reduction.

33. The General Assembly in resolution 50/117 A designated the secretariat of the Decade as the substantive secretariat for the preparation of the closing event. In executing this function and expected parallel activities, the secretariat for the Decade will involve all relevant bodies of the United

Nations system and will draw on the support of other international organizations, intergovernmental organizations and Governments. Within the formal preparatory process, particular attention will be paid to effective coordination of all concerned United Nations agencies and organizations through the inter-agency Steering Committee for the Decade and its Working Group.

34. In thematic terms, the preparatory process will be structured around the targets and overall objective of the Decade, as laid down in the annex to General Assembly resolution 44/236, proclaiming the Decade. It will take into consideration the findings of the World Conference on Natural Disaster Reduction of May 1994 and the resulting Yokohama Strategy and Plan of Action. It will also consider relevant action plans of other United Nations conferences related to the consequences of natural disasters and to the need for disaster prevention, preparedness and mitigation.

35. Key areas of attention comprise first the analysis and reduction of vulnerability to natural hazards through natural disaster reduction, including the development of sound methodologies for the assessment of social and economic impacts of natural disasters and the cost-effectiveness of preventive action. Another critical area involves the improvement of the capabilities of the United Nations system and other concerned entities for early warning for natural disasters, which is closely linked with improved information management and communication capabilities. The establishment of organized network capabilities among all sectors of the International Framework of Action for the Decade is a particularly important aspect for individual members and institutions of the scientific and technical communities. Such networking is dependent upon the development of a sustained clearing-house capability within the Framework of Action for the collation and dissemination of best practices in natural disaster reduction. Promotion and awareness-raising on natural disaster reduction, including specialized publications and the effective and interdisciplinary application of scientific and technical knowledge in education and training, will be maintained. Finally, the integration of disaster reduction into national planning with the full participatory involvement of local authorities and local communities at risk represents a major challenge for the successful implementation of the Decade.

IV. FRAMEWORK

A. Special High-level Council

36. A specific proposal to establish a new Special High-level Council in 1997, in line with the recommendations of General Assembly resolution 49/22 A, has been prepared by the secretariat for the Decade. It foresees 5 to 10 internationally renowned individuals representing all regions of the world, who can influence high-profile funding initiatives and sustained political commitment on a global scale. The revised Council will be serviced in close synergy with the scientific and technical abilities of the Scientific and Technical Committee. The effectiveness of a reconstituted Special High-level Council is closely linked with advocacy for natural disaster reduction within the context of sustainable development. It is also dependent on the continuing functioning of the other components of the International Framework of Action for

the Decade, in particular its secretariat within the Department of Humanitarian Affairs.

37. Active functioning national committees are an essential prerequisite for a credible and feasible reconstitution of the Special High-level Council to support the intended political and advocacy role of future members of the Council.

B. Scientific and Technical Committee

38. The Scientific and Technical Committee met for its seventh session in Moscow in March 1996, at the invitation and with the financial support of the Ministry of Emergency Situations and Civil Defence of the Russian Federation. With the completion of the second rotation of Committee members, eight new members joined the Committee at its seventh session.

39. At the seventh session, the members of the Committee issued a statement to draw the attention of the United Nations and of the international community to the importance of disaster reduction within the development dimension and to the need for adequate resources within the context of technical cooperation. In addition, the statement expressed concern about the continuing lack of funds for the secretariat of the Decade.

40. In keeping with previous practice the Scientific and Technical Committee proceeded to discuss future programme requirements for three key subject areas of activity. First, training, research and the practical application of measures for disaster reduction provided a frame of reference to identify means to extend existing knowledge and experience to a larger audience of potential implementors. Existing organizational partnerships among technical and academic institutions, as well as between government agencies and non-governmental organizations on a regional basis were cited as appropriate mechanisms for disaster training and research.

41. The current status of the Decade's programme initiatives in information systems and in data management systems was the second area of focus for the Committee. The review included present opportunities and future considerations for the application of communications, space technologies and remote sensing for sustained disaster reduction practices. Those technologies also support both dissemination of early warning information and development of its capacities. This will be the subject of a report to the General Assembly at its fifty-second session, in 1997, in response to resolution 50/117 B.

42. The Third area of attention was the continued utility of demonstration projects and their role in transmitting knowledge and newly established experience. The secretariat of the Decade has undertaken a review of existing demonstration projects to highlight those activities which can be useful in expanding the use of disaster reduction techniques. The report of the Scientific and Technical Committee, on its seventh session, and its recommendations, are available from the secretariat for the Decade. 1/

43. In seeking to become more directly involved on both sectoral and geographical issues and to give attention to the practical application of disaster reduction measures, the members of the Scientific and Technical Committee created working groups to provide added impetus to the following areas of activity: training; demonstration projects; communications and information management; early warning systems; and economic and preventive planning aspects.

44. The Committee agreed that the next session would focus on the closing process of the Decade and the importance of economic and preventive planning aspects of disaster reduction. At the next meeting of the Committee, which will be hosted in Paris by the United Nations Educational, Scientific and Cultural Organization (UNESCO) and will be held jointly with the Inter-agency Steering Committee at the end of 1996, consideration will also be given to the relationships between the two Committees and their respective roles in the process of transition into the post-Decade period.

C. Contact Group

45. During the reporting period, the informal open-ended Contact Group of countries and United Nations agencies and organizations established at Geneva has continued, under the chairmanship of the Permanent Representative of Costa Rica to the United Nations Office at Geneva, to serve as an instrument for dialogue and advice on all major thematic issues relating to the Decade. The Group's core group has met regularly, placing an emphasis on enhancing the possibilities of integrating natural disaster reduction into sustainable development. This has been done by considering the results of the World Conference on Natural Disaster Reduction of May 1994 within a coordinated approach of the United Nations system towards implementing global action plans.

46. The Group has pointed out the potential benefits of a similar mechanism in New York with specific emphasis on relating the Decade to the work of the Ad Hoc Open-ended Working Group of the General Assembly on an Agenda for Development, as well as ensuring involvement in the review process of Agenda 21. These actions will provide further impetus to the full participation and involvement of Member States into the substantive and organizational preparations for the Decade's closing event.

D. National committees

47. The national committee concept represents the backbone for the successful implementation of the Decade's targets and overall objective by 1999. The activities are being implemented nationally. This trend is gaining momentum as more national authorities and specific agencies announce strategic disaster-mitigation initiatives. It is encouraging that an increasing number of national entities have become involved through their participation in programmes for the International Day for Natural Disaster Reduction, with more than 60 countries reporting their activities in 1995. Many of those activities were used to initiate longer-term programmes on the theme "Women and Children - Key to Prevention". The special publication for children and schoolteachers used to

promote the theme has proved to be a popular vehicle for many national committees.

48. Some of the national committees work well, but many more require urgent advice and technical or collaborative support on how to progress in line with the Yokohama Strategy and Plan of Action. As more national committees are approaching the secretariat of the Decade for assistance in formulating national disaster-reduction strategies and in seeking expert support, the secretariat's ability to serve the national committees effectively is a crucial factor for the remaining years of the Decade. The secretariat must be able to communicate with national committees through correspondence, visits, meetings and conferences. Many national committees provide an organizational option for national-level disaster reduction beyond the year 2000. They will have to be firmly integrated in the Decade's ultimate evaluation of success.

E. Inter-agency Steering Committee

49. The Working Group of the Inter-agency Steering Committee for the Decade has continued to provide a valuable forum for coordinating the implementation of programmes for the Decade. A meeting of the group in January 1996 set the framework and priorities for inter-agency approaches during the reporting period, including efforts to draw attention to disaster reduction within the respective governing boards of the concerned United Nations agencies and organizations.

50. The Working Group has agreed on the need to sustain attention on the key thematic issues of the Yokohama Strategy and Plan of Action. The members of the Working Group have been actively involved in the Decade's initiative to improve the international coordination of early warning systems, as well as in the development of a basic policy on training and education for the application of scientific knowledge in disaster-reduction practice.

51. The Working Group is planning a formal session of the Steering Committee at the end of 1996, to launch the preparatory process for the closing event of the Decade within the United Nations system. The Committee will develop a work plan for concrete action during the remaining years of the Decade.

52. In addition, the Working Group has contributed in the preparation of the report on natural and environmental disasters in small island developing States for the fourth session of the Commission on Sustainable Development. The report has been finalized by the secretariat of the Decade and the World Meteorological Organization (WMO).

F. Coordination within the United Nations system

53. Within the United Nations Secretariat, the secretariat of the International Decade for Natural Disaster Reduction has enjoyed cooperation with the Department for Policy Coordination and Sustainable Development and the Department for Development Support and Management Services. Apart from the issue of natural and environmental disasters in small island developing States

and the implementation of the Programme of Action for the Sustainable Development of the Small Island Developing States, cooperation with the Department for Policy Coordination and Sustainable Development has extended to the design of indicators for human and economic losses due to natural disasters. The Department for Development Support and Management Services is proceeding to give greater attention to disaster-reduction issues, having developed a global programme for the integration of public administration and the science of disasters.

54. The agencies and organizations of the United Nations system have continued their active involvement in activities of the Decade and the sectoral promotion of disaster-reduction issues. These include the World Health Organization (WHO), WMO and UNESCO and its International Oceanographic Commission.

55. The importance of the efforts being made at country level to apply disaster-reduction awareness and practices in the context of United Nations development programmes should be noted. The interest and the involvement of United Nations resident coordinators and resident representatives of UNDP have given considerable impetus to this process. Increasingly, established development planning and coordinating mechanisms such as the country strategy note are used to accommodate a greater awareness of disaster implications in national developmental planning efforts. This development supports the integration of comprehensive risk assessments and mitigation plans into the national development process.

56. With a view to formulating the global natural disaster-reduction strategy for the twenty-first century called for by the World Conference on Natural Disaster Reduction, cooperation between the International Framework of Action for the Decade and the United Nations development programmes, agencies and organizations should be strengthened further.

G. Secretariat of the International Decade for Natural Disaster Reduction

57. The main activities of the secretariat of the Decade during the reporting period involve three major areas. The first is servicing the International Framework for Action. The Scientific and Technical Committee is the primary means of the secretariat for communicating with the scientific community. A second responsibility is the promotion of the concept of the Decade through public information, awareness-raising and training, including the active promotion of disaster reduction. Finally, the active involvement of staff in relevant legislative and programme activities of the United Nations system has continued.

58. In addition, the secretariat has participated in the strategic orientation and analysis of the Department of Humanitarian Affairs, of which the Decade is an integral part. This exercise has reaffirmed natural disaster reduction and the Decade as core activities of the Department and contributed to the development of a detailed work plan for 1996-1997 and a related financial strategy.

59. The secretariat of the Decade has also continued its thematic project involvement, including studies on socio-economic and legal aspects of disasters and a global project for disaster resistant urbanization and seismic risk assessment in urban areas (RADIUS).

60. The 1995 International Day for Natural Disaster Reduction was very successful. The campaign developed national capacities to encourage proactive roles for women and children before disaster strikes. More than three times as many organizations reported activities to the Decade secretariat as in 1994. Over 70 round tables and conferences addressed the theme of the Day worldwide, many of them being conducted at high level and with tangible outcomes. A new booklet, "Learning about Natural Disasters", was a great success, with over 200,000 copies produced in eight languages by the Decade secretariat and many partners around the world. Requests for translation into 15 additional local languages and 50,000 requests for additional copies of the booklet remain unfulfilled pending additional funding.

61. Other major publications issued during 1995 included Stop Disasters magazine, the Decade newsletter for the Americas produced in Costa Rica in cooperation with the Pan-American Health Organization (PAHO), three reports on regional African workshops and the Yokohama Message, Strategy and Plan of Action from the World Conference on Natural Disaster Reduction. In 1995-1996, the secretariat arranged for representation and distribution of materials for more than 70 conferences around the world.

62. The issue of "Cities at Risk" was selected as the 1996 campaign theme for the Decade to complement Habitat II. The campaign includes an international poster competition, an Internet conference and a special publication of Stop Disasters. Circulars, posters and publications intended to help countries, national committees and local community organizations plan their own campaigns have also been distributed.

H. Trust Fund for the International Decade for Natural Disaster Reduction

63. In response to a request made by the Economic and Social Council in 1995, a report on the core functions of the secretariat of the Decade and its financing was presented to the General Assembly at its fiftieth session (A/50/521). The report has formed the basis for a special funding appeal the Under-Secretary-General for Humanitarian Affairs has presented on behalf of the Decade in January 1996. The financial data of the report have also been integrated into the overall financial strategy of the Department of Humanitarian Affairs, which has been presented to the donor community during the first quarter of 1996. The annual requirement of the secretariat of the Decade, necessary for the execution of its core functions, amounts to $4.2 million.

64. During the reporting period, traditional donors to the Decade have continued their support. This has been crucial for the continuity of the secretariat of the Decade. Contributions have been received from Germany, Italy, Japan, the Netherlands, the Russian Federation, Sweden, Switzerland, the United Kingdom of Great Britain and Northern Ireland, the United States of

America and the Commission of the European Communities. Donations were also received from the Australian Coordinating Committee for the Decade, UNICEF and the private sector. In addition, the secretariat benefits from the contribution in kind of a senior scientific expert and a Junior Professional Officer from Japan.

65. No additional funding commitments have resulted from the appeal beyond the traditional donors. The secretariat of the Decade calls upon other Member States for support.

I. Thematic and operational linkages

66. The report on natural and environmental diasters presented to the Commission on Natural Disaster Reduction at its fourth session in New York in April 1996 in the context of the progress in the implementation of the Programme of Action for the Sustainable Development of Small Island Developing States points out: 2/

> "The full recognition of the interdependence and the linkages between natural disaster reduction and the achievement of sustainable development is a decisive prerequisite for all progress both at the policy level and at the operational level. Any notion that disaster management is limited to action in specific disaster situations, and by special sectors of society only, is detrimental to the objective of saving lives and protecting property from natural and environmental disasters. Equally, there is a need to avoid the erroneous perception among some decision makers and the public that disasters are, by definition, synonymous with man-made or politically induced emergency situations. Natural and environmental hazards constitute a major threat to both developing and industrialized countries; natural and environmental disasters kill and maim people and can heavily disrupt the long-term economic and socials stability of societies. Concepts and measures to counter this threat deserve the highest possible attention."

67. The statement can be quoted as the theme for integrating natural disaster reduction as a cross-cutting issue into activities that contribute to the achievement of sustainable development. This notion has also been explicitly expressed in the General Assembly's Declaration on the Occasion of the Fiftieth Anniversary of the United Nations (resolution 50/6), whereby international cooperation for development, including natural disaster reduction, aims at fostering economic growth, social development, environmental protection and justice.

68. The benefits of natural disaster reduction are also considered in the work of the Ad Hoc Open-ended Working Group of the General Assembly on an Agenda for Development. Section 7, "Humanitarian issues and development", of chapter II of the synthesis text on the Agenda for Development contains a subsection on early warning, prevention, preparedness and reduction of natural disasters. The text notes that disaster prevention and mitigation are of primary importance for reducing the need for disaster relief and calls for their integration into national strategies and programmes for sustainable development.

69. With a view to institutional issues and follow-up, the above-mentioned synthesis text on the Agenda for Development states in its chapter III that there is an urgent need for an integrated, interrelated and coherent implementation and follow-up at the national, subregional, regional and international levels of the recommendations and commitments of recent United Nations major conferences and agreements on development. The implementation of the Yokohama Strategy and Plan of Action will have to take due account of this commitment towards a coordinated approach. This must include consideration and involvement of the Decade in the forthcoming evaluation and overall review of Agenda 21, scheduled to take place during a special session of the General Assembly in 1997.

70. The high-level segment of the substantive session of the Economic and Social Council in 1995 devoted its debate to development in Africa, including the implementation of the United Nations New Agenda for the Development of Africa in 1990s. The summary of the debate by the President of the Council notes that Africa is one of the continents prone to natural disasters which adversely affect development efforts. It states that programmes for disaster preparedness, prevention and mitigation in accordance with the Yokohama Strategy for a Safer World and its Programme of Action should be instituted to assist Africa to cope with the effects of natural disasters. 3/

71. The need and potential for disaster reduction as laid down in the concept and objectives of the Decade have also been considered in relation to the issue of mass movements of populations, whether as refugees or displaced populations. In the context of activities organized, inter alia, by the Office of the United Nations High Commissioner for Refugees (UNHCR) and the International Organization for Migration (IOM), the reduction of disasters has been recognized as a means to reduce involuntary mass movements of populations resulting from sudden-onset natural or environmental disasters and similar emergencies.

72. In the context of the work of the Commission on Human Rights, the Decade's preventive, pre-disaster actions are seen as a contribution to the collective and individual protection of human rights through securing human life and ensuring basic requirements such as food, shelter and health. In this respect, the report on human rights and the environment submitted to the Commission on Human Rights at its fifty-second session 4/ noted the relationship between disaster reduction and human rights issues.

V. CONCLUSIONS AND RECOMMENDATIONS

73. The ultimate objective of the International Decade for Natural Disaster Reduction is to save lives and to protect material resources. This is achieved through the reduction of the vulnerability of communities at risk. This requires a viable basis for international cooperation in disaster-reduction activities to ensure the accomplishment of sustainable development into the twenty-first century. The most critical needs are the following:

(a) Acceptance must be gained among policy makers that disaster reduction is an investment in the protection of national assets;

(b) Concerted efforts must be made to translate existing knowledge into practice;

(c) Equitable access to the protection from natural disaster must be ensured for all, in developing and industrialized countries alike;

(d) The gap remaining between the expectations that have been raised for concerted multilateral support for disaster reduction and the present realities must be closed;

(e) International strategies for natural disaster reduction must be translated into concrete support for the development of national capabilities to protect people;

(f) The Yokohama Strategy and Plan of Action of the World Conference on Natural Disaster Reduction must be fully integrated into the concerted approach towards the implementation of the action plans of all recent global United Nations conferences;

(g) The international community's commitment to the International Framework of Action for the International Decade for Natural Disaster Reduction must be translated, for the period of the Decade, into concrete support through the adequate provision of human and financial resources.

74. Urgent actions need to be taken by the Member States. Beyond the endorsements of disaster reduction concepts, concrete actions are essential to address the remaining tasks effectively. These include the following:

(a) The International Framework of Action is to develop options for institutional arrangements required by the year 2000 in order to maintain coordinated measures of disaster reduction beyond the Decade;

(b) United Nations agencies and organizations are to incorporate disaster reduction in activities of national planning;

(c) The Commission on Sustainable Development should be requested to consider natural disaster reduction as a cross-cutting issue in the evaluation and overall review of Agenda 21;

(d) National committees for the Decade and other partners in the International Framework of Action should solicit a more active involvement of the private sector in natural disaster reduction, including the promotion of commercial potential in research, technical applications and the provision of goods and services;

(e) The secretariat for the Decade should coordinate a comprehensive and coherent programme of information management and dissemination for natural disaster reduction;

(f) All partners in the International Framework of Action for the Decade, in particular the scientific and technical community, should participate in interdisciplinary and multisectoral networks;

(g) The United Nations is to initiate the preparatory process for the Decade's closing event, including the provision of the necessary resources, in order to ensure the mapping of a comprehensive disaster reduction strategy into the twenty-first century before the year 2000.

75. As previously referred to in the Yokohama message, 5/ the Decade stands at a crossroads. The United Nations and the world community can positively affect the course of events by reducing the suffering from natural disasters. Action is needed now to implement the policies and goals embodied in the International Decade for Natural Disaster Reduction.

Notes

1/ IDNDR/STC/1996/4.

2/ E/CN.17/1996/20/Add.1, para. 53.

3/ See Official Records of the General Assembly, Fiftieth session, Supplement No. 3 (A/50/3/Rev.1), chap. II, para. 29.

4/ E/CN.4/1996/23.

5/ A/CONF.172/9.

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Items 88 and 93 of the
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INFORMATION FROM NON-SELF-GOVERNING TERRITORIES TRANSMITTED UNDER ARTICLE 73 e OF THE CHARTER OF THE UNITED NATIONS

QUESTION OF EAST TIMOR

Note verbale dated 28 June 1996 from the Chargé d'affaires a.i. of the Permanent Mission of Portugal to the United Nations addressed to the Secretary-General

1. The Chargé d'affaires a.i. of the Permanent Mission of Portugal to the United Nations has the honour to call the attention of the Secretary-General to the information provided by the Mission in its note verbale of 5 June 1995 (A/50/214 and Corr.1), as required by Article 73 e of the Charter of the United Nations, the terms of which remain valid.

As in previous years, since the Government of Portugal continues to be prevented de facto from exercising its responsibilities for the administration of the Non-Self-Governing Territory of East Timor, owing to the latter's illegal occupation by a third country thus preventing its people from exercising freely their right to self-determination, it remains unable to provide the information concerning that Territory required by Article 73 e of the Charter. Nevertheless, the Government of Portugal would like to draw attention to the following.

Reports coming from different sources converge in denouncing that the situation in East Timor continues to be very serious, justifying the gravest concerns.

2. Since 5 June 1995, when our last information was provided and in the first months of 1996, it is generally reported that ethnic and religious tensions

* A/51/50.

between East Timorese and Indonesians (fostered by the latter's immigration into the Territory), a pattern of short and arbitrary detentions of young people accompanied by beatings and torture, "disappearances", summary executions and a difficult social and economic situation with high unemployment rates, have contributed to a general climate of fear, distrust and intimidation. The Indonesian authorities have persisted in resorting to repressive actions intended to subdue the opponents to integration.

3. Numerous young East Timorese have been brought to trial and sentenced to prison terms, charged with organizing and participating in peaceful demonstrations in East Timor and Jakarta against Indonesian's illegal occupation of their country. None of those previously convicted for non-violent activities has been released and no significant improvement has been reported regarding the treatment and full respect of the rights of those in custody. The Special Rapporteur on Torture of the Commission on Human Rights in 1995 transmitted to the Government of Indonesia information on 20 cases of torture, most of which occurred during detention. The United States State Department report states that the use of torture has continued or worsened in detention facilities run by military intelligence.

4. In an unprecedented development, about 1,000 East Timorese who were visiting Australia in early 1995 with tourist visas applied to the Australian authorities for the granting of political asylum. In May of the same year, 18 people escaped from Dili by boat (a small and dilapidated wooden fishing vessel) and headed for the northern Australian coast with the same purpose. They were the first "boat people" ever to escape from East Timor - a clear symptom of the state of exasperation reached over the conditions prevailing in the Territory. On 20 November, a second group of 27 people attempted to sail from Dili to Australia but were captured by Indonesian security forces. They were subjected to interrogation at Dili police station and allegedly also to ill-treatment, including torture.

5. In 1995, according to practically all testimonies available, instead of reducing its troop level in East Timor, Indonesia increased their number significantly. According to the military commander, about 5,000 soldiers and 4,500 policemen were posted in East Timor but other sources estimate that the real figure was between 13,000 and 15,000 armed forces. This increasing presence of military forces has strongly contributed to the tension prevailing in East Timor. In fact, many human rights violations seem also to be due to the unprofessional behaviour shown by troops in East Timor. In his recent report to the Commission on Human Rights (E/CN.4/1996/4), the Special Rapporteur on Extrajudicial, Summary or Arbitrary Executions states that he remains deeply concerned about the ongoing unrest and the violence and urges the Government of Indonesia to make sure that the force used in response to demonstrations, even those which are violent, will be in accordance with the Basic Principles on the Use of Force and Firearms by Law Enforcement Officials.

6. In September 1995, widely reported religious incidents occurred in East Timor and charges were made that they had been provoked or exploited by the Indonesian military and security apparatus. Those incidents stemmed from an insulting remark made about the Catholic religion by an Indonesian official in Maliana, some 120 kilometres west of Dili. This prompted disturbances to break

out across the country: in Viqueque, Liquiça and Maubesse. The Comoro market in Dili was attacked and burned by demonstrators, as well as mosques, stalls, cars and other private property. As the result of the violence, some hundreds of immigrants have reportedly fled from East Timor. According to the Special Rapporteur on Torture, between 50 and 100 persons were reportedly arrested and 8 injured. The riot was considered the worst in the Territory since the killings of November 1991 at the cemetery of Santa Cruz. Additional Indonesian troops and police mobile brigades from West Timor, Java and Bali were sent into East Timor, thus contradicting previous announcements concerning an imminent reduction of occupying military personnel.

7. On 10 October, two people died as a result of confrontations that occurred in Dili. According to reliable sources, there was again a deep suspicion that the Indonesian armed forces had been behind the troubles, through the use of agents provocateurs seeking to provide a good opportunity for a crackdown and to further justify a strong military presence in the Territory. The October riots lasted for four days, were confined to Dili and involved hundreds of youths but only minor destruction of property. The protest was crushed by the armed forces in a major sweep that included round-ups and house-to-house searches at night and lead to the detention of 150 people during the four days of unrest in the capital. Indonesian military even broke into the school of the Canossian sisters and arrested about 50 youths who had taken refuge there.

8. The Vice-President of the Indonesian National Commission for Human Rights, Mr. Maruski Darusman, himself, went as far as to state publicly that the high tension and the incidents in East Timor were the result of 20 years of frustration and political oppression and that they could not be attributed to religious or ethnic causes alone. Clementino dos Reis Amaral, a member of the Commission and a native of East Timor, also said (see The Australian, 7 December 1995) that 20 years after the Indonesian takeover, an atmosphere of fear continued to prevail in East Timor. "The human rights situation has never been as bad as now, it is even far worse", he stated.

9. According to Amnesty International (ASA 21 March 1996; distr: SC/CC/CO), at least 300 people were arrested for their alleged involvement in the October riots. Amnesty International is concerned that many of those detained were subject to intimidation, threats, ill-treatment, beatings and torture and did not have full access to their families and lawyers of their choice, and that the arrests that took place were arbitrary in that security forces arrested individuals known to be political activists not necessarily connected with the riots.

10. Since 25 September 1995, when five youths sought political asylum in the British Embassy in Jakarta, till May 1996, more than 80 young East Timorese took refuge in a number of Western embassies in Jakarta in a bid to leave the country. They claimed they feared for their lives from the Indonesian security forces.

Even though the Indonesian authorities have dismissed those claims, maintaining that the youths had not been persecuted but were just trying to embarrass Indonesia and to get a free ride to Portugal, prominent East Timorese have clearly related this problem to the military crackdown on the Territory

being carried out since September. Armindo Maia, Vice-Rector at the East Timor University, told Reuters that:

> "The situation here in East Timor is one of terror, tension and persecution ... I am not surprised these youngsters choose to go to foreign embassies, as people in their position are generally in a hopeless situation".

Monsignor Carlos Ximenes Belo, head of the Catholic Church in East Timor, called on the Government of Indonesia to examine the causes behind the recent asylum-seeking bids.

In fact, from September 1995 to June 1996, it appears that the wave of young East Timorese leaving Indonesia for political asylum abroad was caused by a combination of terror and despair with the political opportunity offered by the fourth anniversary of the Santa Cruz massacre on 12 November and the twentieth anniversary of the Indonesian invasion of East Timor on 7 December to call the world's attention to their plight once again.

11. Giving real signs that the situation in East Timor has not improved, in April 1996 several news agencies reported two killings in East Timor in two separate incidents. One of the deaths occurred in Dili after the victim had allegedly tried to hoist the flag (which was at half mast in sign of mourning for President Suharto's wife). He was caught by two security agents, beaten and finally shot dead. The victim was identified as André Sousa, a middle-aged former public servant. Another death took place in Baucau, where Paulo dos Reis, an East Timorese youth, was shot dead, apparently because he was suspected of being involved with the East Timorese resistance.

On 29 April, a demonstration against the killing of Paulo dos Reis in Wailili, near Baucau, where people had gathered to celebrate the visit of a Salesian representative, also resulted in violent confrontation.

Incidents involving hundreds of young people have recently broken out in Baucau, the second city of East Timor. According to reliable sources, the rioting has been prompted by profanation (allegedly committed by Indonesian security elements) of a pious image at the Catholic Church of Baucau. The clashes started on 9 June, reportedly resulting in the death of two people and wounding an undetermined number of others (one of them was identified as Martinho Lopes). The situation in Baucau remained tense for several days while detentions and house-to-house searches were in progress throughout the city, with people missing or being submitted to harsh interrogation methods.

12. The International Court of Justice on 30 June 1995 delivered its judgment in the case concerning East Timor (Portugal vs. Australia), instituted on 22 February 1991. The Court concluded that it would not in this case exercise its jurisdiction because Indonesia, not accepting the mandatory jurisdiction of the Court, had been absent from the proceedings. Since the Court had decided that the rule on the merit of the case would necessarily imply to rule on the lawfulness of Indonesian's conduct regarding East Timor, the latter's absence led to the Court's declining to exercise its jurisdiction.

The Court's decision was taken on purely procedural grounds for the reason referred to above. There was no judgment on Portugal's claims and therefore no conclusion as to the legality of Australia's action in negotiating, concluding and implementing the so-called "Timor Gap Agreement" with Indonesia.

The International Court of Justice did not fail to recognize that Portugal's assertion that the right of peoples to self-determination, as it evolved from the Charter and from United Nations practice, has an erga omnes character that is irreproachable. The Court also recognized that the General Assembly, which reserves to itself the right to determine the Territories that have to be referred to as Non-Self-Governing for the purposes of the application of Chapter XI of the Charter, has treated East Timor as such a Territory. The competent subsidiary organs of the General Assembly have continued to treat East Timor as such to this day. Furthermore, the Security Council, in its resolutions 384 (1975) and 389 (1976) has expressly called for respect for the territorial integrity of East Timor as well as the inalienable right of its people to self-determination in accordance with General Assembly resolution 1514 (XV).

Even though the Court did not wish to rule on Indonesian's conduct towards East Timor, it mentioned the intervention of the armed forces of Indonesia in the Territory and said also that on 7 December 1975 the armed forces of Indonesia had intervened in East Timor, expressions that imply the qualification of such a conduct as being against international law.

In reaction to this judgment, the Government of Portugal challenged the Government of Indonesia to accept the jurisdiction of the International Court of Justice and to abide by its ruling over the case. This challenge has failed, however, to receive a positive response.

The Court's decision over this procedural point, which prevented a judgment over the substance from being delivered, does not impair the legal and political grounds over which Portugal's action to complete the decolonization of East Timor in conformity with international law and to uphold the rights of the East Timorese have been carried out, the latter's right to self-determination and the Territory's non-self-governing status having been clearly recognized by the Court.

13. Upon the invitation of the Government of Indonesia, the United Nations High Commissioner for Human Rights paid a visit to Indonesia and East Timor. The visit took place from 3 to 7 December 1995. According to Mr. Ayala Lasso's report (E/CN.4/1996/12), the situation in East Timor could and should improve: such an improvement must be an end in itself. At the same time, it could influence the political dialogue in a positive manner. In this connection, the visit of the High Commissioner could represent a significant positive step in terms of the cooperation between the Government of Indonesia and the United Nations on human rights matters.

14. It is worth recalling when referring to the situation prevailing in the Territory as a whole that the 1996 World Population Report released by the United Nations Population Fund (UNFPA) shows that East Timor has the worst infant mortality rate among the world's 30 least developed countries and

Territories, at 135 deaths per 1,000 births. East Timor also has the lowest life expectancy among those same countries listed in the 1996 Report (48.4 years for women and 46.7 for men).

15. On 8 July 1995 and 16 January 1996, respectively, the sixth and seventh rounds of talks were held between the Ministers of Foreign Affairs on the question of East Timor presided over by the Secretary-General. An eighth round of talks took place on 27 June 1996. Since the positions of the Government of Portugal and Indonesia over the status of the Territory have continued to be far apart, efforts in this context have been concentrated on defining and carrying out a number of measures aimed at fostering an atmosphere of dialogue, at improving the situation in the Territory and trying, through a step-by-step approach, to bridge the existing differences whenever possible. The two parties have agreed to start discussions on substantive issues regarding possible avenues towards achieving a just, comprehensive and internationally acceptable solution to the question of East Timor.

Those substantive issues which have been identified are related to an eventual framework for the achievement of a solution to the question of East Timor as well as other related issues, inter alia, the preservation and promotion of the cultural identity of the East Timorese people and bilateral relations between Indonesia and Portugal.

16. The involvement of the East Timorese in this process is crucial: the experience of these 20 years of illegal occupation and repression shows that a solution cannot be found and cannot be long-lasting without East Timorese acceptance. Some progress was made recently in this field: as agreed during the intergovernmental talks, the first and the second All-Inclusive Intra-East Timorese meetings took place in Burg Schlaining, Austria, from 2 to 5 June 1995 and from 19 to 22 March 1996, respectively, with the assistance of United Nations officials. Thirty East Timorese, from exile and from within the Territory, representing different political movements and tendencies showed that, political differences notwithstanding, they could find common platforms regarding crucial areas of concern for their people, such as the preservation of the East Timorese identity, the human rights situation, the promotion of peace and their willingness to participate effectively in running the Territory's affairs.

Portugal supports the holding of these rounds of All-Inclusive Intra-East Timorese talks, organized and facilitated by the United Nations, which laid the ground for further cooperation between the different East Timorese factions and contributed further to the Secretary-General's ongoing efforts. United Nations involvement in these talks has ensured their credibility and independence, as well as enlarged and representative participation by the different East Timorese political currents.

The fact that participants were not only able to establish a dialogue, in spite of their political divergences, but could also agree on a platform of common concerns on several issues regarding the situation in the Territory and its future cannot but be valued by Portugal as a positive outcome. These meetings are indispensable to achieving the involvement of the East Timorese in

the negotiating process in the search for a solution to the question of East Timor.

The first meeting took place in a very positive and constructive atmosphere, allowing for a Burg Schlaining Declaration to be issued, together with two annexes: one referring to the whole range of the issues discussed (such as the redressing of the human rights situation and the promotion of peace, the preservation of the East Timorese identity and the need for the involvement of the East Timorese in running their own country in a climate of mutual understanding, tolerance and harmony); and the other, reproducing the statement made by Monsignor Ximenes Belo on behalf of the Catholic Church in East Timor.

In the second All-Inclusive Intra-East Timorese meeting, the participants agreed on a statement that included an expression of concern at the current human rights situation and in particular the plight of East Timorese women; a request for setting up an East Timorese cultural centre in Dili, and a request to Portugal to help East Timor's human resource development by concrete measures, such as financial and technical support for East Timor University, and practical training for youth in all areas of relevance to the needs of the East Timorese people.

17. Following the seventh rounds of talks, the Prime Minister of Portugal took the initiative to meet President Suharto of Indonesia, in Bangkok during the Asia-Europe Meeting on 29 February. He put forward to him a proposal relating to the question of East Timor. Portugal would agree to the opening, in both Lisbon and Jakarta, of interest sections, provided that the Indonesia side would agree to the release of the East Timorese leader, Xanana Gusmão, and his followers and give the assurance of full respect of human rights in East Timor under effective monitoring by the United Nations.

President Suharto took note of this proposal, which will be formally discussed within the framework of the ongoing dialogue between Portugal and Indonesia under the auspices of the United Nations.

18. Notwithstanding some progress made in establishing a national Human Rights Commission, Indonesia has, unfortunately, not complied with most of the commitments undertaken before the Commission on Human Rights since 1992 and during the rounds of talks over the question of East Timor held under the auspices of the Secretary-General of the United Nations.

The Government of Indonesia has been called upon by the United Nations Commission on Human Rights to facilitate access to East Timor by human rights and humanitarian organizations and international media. While recognizing that some progress has been made in this matter, it is regarded as being clearly insufficient. International and credible human rights organizations such as Amnesty International or Human Rights Watch/Asia have still not been able to visit East Timor. Human rights situations in East Timor during this period remained without effective monitoring. Amnesty International is concerned that attempts by the Indonesian authorities to restrict access by independent human rights monitors and journalists to East Timor exacerbates the risks for the East Timorese still in detention (ASA 21 March 1996).

19. On 23 April 1996, the Commission on Human Rights adopted by consensus a Chairman's statement on the situation of human rights in East Timor, following those approved in 1992, 1994 and 1995.

In considering this issue, the Commission on Human Rights had before it the Secretary-General's report pursuant to the statement adopted in the previous session (E/CN.4/1996/118), the report of the High Commissioner for Human Rights (E/CN.4/1996/112), the report of the Special Rapporteur on Torture (E/CN.4/1996/35), the report of the Special Rapporteur on Extrajudicial, Summary or Arbitrary Executions (E/CN.4/1996/4) and information regarding the action taken by working groups of the Commission concerning East Timor (E/CN.4/1996/38 and E/CN.4/1996/40).

The Commission expressed its deep concern over the reports of violations of human rights in East Timor, recalled the undertakings by the Government of Indonesia to promote human rights in East Timor and stressed the need to take further steps towards their implementation, including the early release of the East Timorese detained or convicted and the further clarification on the circumstances surrounding the Dili incident of 1991.

The Commission welcomed the visit to East Timor of the High Commissioner for Human Rights, Mr. José Ayala Lasso, on 6 December 1995, and stressed the importance of that visit in the context of the 1995 Chairman's statement. The Commission noted with satisfaction the understanding reached between the Indonesia authorities and the High Commissioner concerning the upgrading of the current memorandum of intent on technical cooperation in the field of human rights, signed in Jakarta on 26 October 1994, into a memorandum of understanding. In that context, it was also provisionally agreed to look into the possibility of the High Commissioner assigning a programme officer within the office of the United Nations Development Programme (UNDP) in Jakarta in order to follow up the implementation of the technical cooperation agreement. This officer would also have regular access to East Timor. Concrete developments in this regard are still to be expected.

The Commission welcomed the intention of the Government of Indonesia to continue to cooperate with the Commission on Human Rights and its mechanisms as well as its intention to invite a thematic rapporteur in 1997. But it should nevertheless be recalled that Indonesia did not accept the visit of a thematic rapporteur in 1996 and has responded negatively to the requests to visit East Timor made by the Special Rapporteur on Torture and by the Working Group on Arbitrary Detentions, thus not complying with the provisions of paragraph 7 of the Chairman's statement on the situation of human rights in East Timor adopted on 1 March 1995. The Government of Indonesia was called upon by the Commission on Human Rights to facilitate access to East Timor by human rights and humanitarian organizations and international media. While recognizing that some progress has been made in this matter, this progress is clearly insufficient.

20. Against this regrettable background, the European Union (EU), based on the principles of respect for human rights and for the right to self-determination of peoples that are at its very foundation, acted in order to promote a solution to the question. The European Council of Madrid, on 16 December 1995, bearing in mind in particular, the latest events in Jakarta in connection with the

increased tension in East Timor, pledged support for any appropriate action that could contribute towards a just, overall and internationally acceptable solution to this issue and in particular towards the mediation efforts being made by the United Nations Secretary-General.

As in previous years, during the last session of the Commission on Human Rights, EU, under agenda item 10, Country situations, made a statement expressing its serious concern over the grave situation of human rights in East Timor. Some months before, at the United Nations General Assembly, EU had also included a reference to East Timor in its memorandum circulated with the speech delivered at the fiftieth session by Mr. Javier Solana on behalf of the Union.

A common position of the 15 States members of EU, concerning East Timor, defined by the Council on the basis of article J.2 of the Treaty on European Union, was formally adopted on 25 June 1996. In that context, the Union, referring to its previous declarations on the situation in East Timor, intends to pursue the following aims:

(a) To contribute to the achievement by dialogue of a fair, comprehensive and internationally acceptable solution to the question of East Timor, which fully respects the interests and legitimate aspirations of the Timorese people, in accordance with international law;

(b) To improve the situation in East Timor regarding respect for human rights in the Territory.

In order to pursue the aims referred above, the Union:

(a) Supports the initiatives undertaken in the United Nations framework that may contribute to resolving this question;

(b) Supports in particular the current talks under the aegis of the United Nations Secretary-General with the aim of achieving a fair, comprehensive and internationally acceptable solution to the question of East Timor, effective progress towards which continues to be hampered by serious obstacles;

(c) Encourages the continuation of intra-Timorese meetings in the context of this process of dialogue under the auspices of the United Nations;

(d) Calls upon the Government of Indonesia to adopt effective measures leading to a significant improvement in the human rights situation in East Timor, in particular by implementing fully the relevant decisions in this connection by the United Nations Commission on Human Rights;

(e) Supports all appropriate action with the objective of generally strengthening respect for human rights in East Timor and substantially improving the situation of its people, by means of the resources available to the Union and aid for action by non-governmental organizations.

21. At the Special Committee on the Situation to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples in July 1995, Sao Tome and Principe, on behalf of Angola, Cape Verde, Guinea-Bissau

and Mozambique, stressed the importance of the all-inclusive intra-East Timorese dialogue and encouraged the negotiations between Portugal and Indonesia under the auspices of the Secretary-General.

In San Carlos de Bariloche, in Argentina, on 16 and 17 October 1995, during the fifth summit of the Ibero-American countries, the Heads of State and Government, as in previous years, expressed their support for the efforts of the United Nations Secretary-General in order to contribute to a just, comprehensive and internationally acceptable solution to the East Timor question, in accordance with international law.

22. The Chargé d'affaires a.i. of Portugal to the United Nations has the honour to request that the present note verbale be circulated as an official document of the General Assembly under items 88 and 93 of the preliminary list.

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REVIEW AND IMPLEMENTATION OF THE
CONCLUDING DOCUMENT OF THE TWELFTH
SPECIAL SESSION OF THE GENERAL
ASSEMBLY

SECURITY COUNCIL
Fifty-first year

Letter dated 1 July 1996 from the Permanent Representative of Ecuador to the United Nations addressed to the Secretary-General

I have the honour to transmit to you herewith a copy of the press release issued by the Ministers for Foreign Affairs of Ecuador and Peru following their meeting in Buenos Aires on 18 and 19 June 1996 (see annex I), at which they continued the process of identifying the procedures to be followed at the talks to be held in Brasilia on point 6 of the Itamaraty Declaration, which concerns the solution of the impasses remaining between the two countries.

I also attach the 18 June 1996 declaration by the Guarantor Countries (annex II) to which the press release refers, and the text of the Itamaraty Declaration of Peace between Ecuador and Peru, signed in Brasilia on 17 February 1995 (annex III).

I should be grateful if you would have this letter and its annexes distributed as a document of the General Assembly, under items 71 (g) and 72 of the preliminary list, and of the Security Council.

(Signed) Luis VALENCIA RODRIGUEZ
Permanent Representative

* A/51/50.

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ANNEX I

Press release issued in Buenos Aires on 19 June 1996 by the Ministers for Foreign Affairs of Peru and Ecuador

The Ministers for Foreign Affairs of Peru and Ecuador, Francisco Tudela and Galo Leoro Franco, respectively, met in Buenos Aires on 18 and 19 June 1996, together with the representatives of the Guarantor Countries, to continue the process of identifying the procedures to be followed at the forthcoming talks in Brasilia.

On this occasion, the following agreements were reached:

1. Headquarters. The talks will be held in Brasilia, to which end the consent of the Government of Brazil has been obtained.

2. Delegations. The delegations of each country will be national and representative; they will consist of a maximum of five persons and will have such technical advisers as are deemed appropriate.

3. Guarantors. The Guarantor Countries of the Protocol of Rio de Janeiro will participate actively and independently in the talks.

4. Confidentiality. The talks will be confidential. Any information that is made public will first be approved by the Parties and the Guarantor Countries.

5. Subject. The talks will deal with the remaining impasses, lists of which were exchanged by the Parties in Brasilia on 6 March 1996, in accordance with paragraph 2 of the Quito Agreement of 23 February 1996.

6. Procedure. For the adoption of the procedure to be followed by the Parties in the Brasilia talks, it was agreed to take into account the declaration made by the Guarantor Countries in Lima on 18 January 1996, which contains the following points:

(a) The Parties will talk directly, with the participation of the Guarantor Countries;

(b) If disagreements arise in the course of the talks, the Guarantor Countries will make evaluations, recommendations, suggestions, demands and declarations in keeping with the spirit of the 1942 Protocol of Rio de Janeiro;

(c) The Parties, if they so agree, will make it mandatory that they refer to the Guarantor Countries issues on which they have not reached agreement, in accordance with the provisions of article seven of the 1942 Protocol of Rio de Janeiro;

(d) It will be for the Parties to decide whether or not to accept proposals made by the Guarantor Countries.

7. In keeping with the declaration made by the Guarantor Countries on 18 June 1996 in Buenos Aires, such cooperation with and assistance to the Parties will be provided within the framework of the Rio Protocol and subject, in particular, to articles seven and nine thereof.

8. Furthermore, to supplement the adoption of the above procedure, the delegation of Peru stated its position on the application of article seven of the 1942 Protocol of Peace, Friendship and Boundaries. The delegation of Ecuador, for its part, proposed that, in the absence of agreement and after exhausting all the channels mentioned above, a comprehensive, binding decision must be sought, with the prior approval of the Parties, from an eminent person designated by the Guarantor Countries. Both statements of position are annexed to this press release (see appendix).

9. MOMEP. The delegations of Ecuador and Peru make known their satisfaction at the decision taken by the Guarantor Countries to extend the mandate of the Ecuador-Peru Military Observer Mission (MOMEP) until 6 September 1996.

10. Future programme of work. Ecuador and Peru renewed their commitment to the ongoing diplomatic process and their determination to find a lasting solution to the remaining impasses, in accordance with point 6 of the Itamaraty Peace Declaration. To that end, the Foreign Ministers will meet again as soon as possible in Santiago, as already agreed with the Government of Chile, to complete identification of the procedures to be followed in the Brasilia talks, which they hope to begin in the course of this year.

Prior to the start of deliberations, the Foreign Ministers of Ecuador and Peru, together with the representatives of the Guarantor Countries, Ambassadors Ivan Cannabrava (Brazil), Juan José Uranga (Argentina), Favio Vio (Chile) and Luigi Einaudi (United States of America) met with the Argentine Foreign Minister, Guido di Tella, and were received by the President, Carlos S. Menem. The Foreign Ministers of Ecuador and Peru thanked the Government of the Argentine Republic for its generous hospitality as host of the talks.

APPENDIX

Proposal by Ecuador

(a) The delegations will consider and resolve the dispute defined in the list of impasses exchanged between the Parties on 6 March 1996, in order to arrive at a comprehensive, equitable and binding settlement that reconciles the interests of the Parties.

(b) Should the Parties fail to agree on a solution to the impasses, the Guarantor Countries of the Protocol of Rio de Janeiro, at their own initiative or at the request of one or both Parties, will make suggestions or recommendations for achieving that end.

(c) If one or both Parties does not agree to accept the recommendation or recommendations made by the Guarantor Countries, the latter, with the approval of the Parties, will designate an eminent person who, in accordance with a procedure to be agreed, will issue a binding decision in accordance with the criteria established in paragraph (a). To that end, the Parties will send that person the text of any provisional agreements which they have reached on resolving the impasse or impasses, for incorporation in his final decision.

(d) The procedure mentioned in paragraph (c) will be determined by the Guarantor Countries and the eminent person and will be submitted to the Parties for approval.

Proposal by Peru

The Parties agree that, if any doubts or disagreements arise in the course of the substantive talks in Brasilia, article seven of the 1942 Protocol of Rio de Janeiro will apply on an automatic, mandatory and immediate basis. The formula proposed by the Guarantor Countries to resolve those doubts or disagreements, according to their nature and based on article nine of the Rio Protocol, will require the approval of the Parties. The solution resulting from the formula thus proposed and approved will also require the express acceptance of the Parties.

ANNEX II

Declaration issued by the Guarantor Countries on 18 June 1996

1. We, the Guarantor Countries, have taken special note of the progress of the talks held today as part of the third meeting of the Foreign Ministers of Ecuador and Peru. We observe, in this connection, that initial differences emerged in the positions of the Parties but that there were also points on which agreement might be possible. To that end, we suggest that a working group be established between the Parties to build on those points of agreement and resolve those differences.

2. Furthermore, we consider it relevant to reiterate what we said in our 17 February 1995 declaration, signed in Brasilia, in which we pledged to fulfil all the responsibilities which we undertook upon signing as guarantors the 1942 Protocol of Rio de Janeiro.

We, the Guarantor Countries, will provide this cooperation and assistance to the Parties within the framework of that Protocol and, in particular, of articles seven and nine thereof. Accordingly, we, the Guarantor Countries, wish to reiterate the terms of the declaration made in Lima on 18 January 1996.

ANNEX III

Itamaraty Declaration of Peace between Ecuador and Peru signed in Brasilia on 17 February 1995

At the high-level diplomatic meeting of the Guarantor Countries of the Protocol of Rio de Janeiro, the deputy Foreign Ministers of Ecuador and Peru, Ambassador Marcelo Fernández de Córdoba and Ambassador Eduardo Ponce Vivanco, on behalf of their Governments, confirm the cessation of hostilities between Ecuador and Peru, in accordance with the official communiqués issued by the two Governments, as of 12.00 (twelve) noon, Quito and Lima time, on 14 February.

In order to consolidate the cease-fire agreement and to prevent further confrontations that would disturb the relations of peace, friendship and good-neighbourliness between Peru and Ecuador,

The two Parties agree:

1. To accept with gratification the offer of the Guarantor Countries to send an observer mission to ensure strict fulfilment of the commitments set forth in points 2, 3 and 5 of this agreement. The Parties request that the initial duration of the mission be 90 days, with the possibility of extension if necessary, for which purpose the Parties and the Guarantor Countries shall promptly make the appropriate arrangements. The observer mission of the Guarantor Countries shall begin its work when military operations are suspended. The Parties agree to provide the necessary support and facilities to enable the observer mission to carry out its tasks and to guarantee the physical safety of its members, which will be the subject of an "identification of procedures" between the Parties and the Guarantor Countries in due course. In addition, the Parties agree to designate immediately the military officials who will act as liaison with the observer mission.

2. To separate immediately and simultaneously all troops of the two countries involved in the confrontation, so as to eliminate any risk of renewed hostilities, with priority to be given to forces that are in direct contact. In this regard, the Ecuadorian troops shall assemble at the post of Coangos (03 degrees 29' 40.9" S/ 78 degrees 13' 49.67" W) and the Peruvian troops at PVI-observation post No. 1 (03 degrees 32' 00" S/ 78 degrees 17' 49" W) and agree not to undertake military movements in the conflict zone. In view of the importance of this commitment, the Parties guarantee that the observer mission will be in a position to verify its observance. The separation of forces shall be carried out under the supervision of the Guarantor Countries. The observer mission shall instal centres of operation at the points considered to be of greatest tension, such as Tiwintza and Base Sur.

3. To request that the observer mission of the Guarantor Countries, in the context of fulfilment of the provisions of the preceding point, recommend to the Governments of Ecuador and Peru that an area be totally demilitarized, bearing duly in mind the assurances needed for the security of the neighbouring areas in both countries.

4. To state that the geographical references given in point 2 shall apply only to execution of the aforementioned processes of demilitarization and separation of forces.

5. To initiate immediately, as a confidence-building measure, in the border zones not directly affected by the clashes and under the supervision of the Guarantor Countries, a gradual and reciprocal demobilization, with the return of units deployed in the military operations to their garrisons and bases.

6. To initiate talks, in the context of paragraph 4 of the communication sent to the Governments of Ecuador and Peru by the Guarantor Countries of the Protocol of Rio de Janeiro on 27 January 1995, for finding a solution to the remaining impasses, as soon as the foregoing points have been fulfilled and a climate of detente and friendship between the two countries has been restored.

IN WITNESS WHEREOF, the representatives of Ecuador and Peru sign this Declaration in two copies in the Spanish language, in the city of Brasilia at _____ on 17 February 1995, in the presence of the representatives of Argentina, Brazil, Chile and the United States of America, the Guarantor Countries of the Protocol of Rio de Janeiro.

Done at Itamaraty Palace, Brasilia, on 17 February 1995.

[Signed]

For the Republic of Ecuador:
Marcelo FERNÁNDEZ DE CÓRDOBA

[Signed]

For the Republic of Peru:
Eduardo PONCE VIVANCO

For the Guarantor Countries:

Argentine Republic:
[Signed] Juan José URANGA

Federative Republic of Brazil:
[Signed] Sebastião do Rego BARROS

Republic of Chile:
[Signed] Fabio VÍO UGARTE

United States of America:
[Signed] Melvyn LEVITSKY

UNITED
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Fifty-first session
Item 113 (c) of the preliminary list*

HUMAN RIGHTS QUESTIONS: HUMAN RIGHTS SITUATIONS AND REPORTS OF SPECIAL RAPPORTEURS AND REPRESENTATIVES

Letter dated 28 June 1996 from the Permanent Representative of the Russian Federation to the United Nations addressed to the Secretary-General

I have the honour to transmit herewith a memorandum from the Russian Federation concerning the situation of the Russian-speaking population in Estonia (see annex).

I should be grateful if you would have the text of the memorandum circulated as an official document of the General Assembly, under item 113 (c) of the preliminary list.

(Signed) S. LAVROV

* A/51/50.

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ANNEX

Memorandum from the Russian Federation on the situation of the Russian-speaking population in Estonia

1. The Russian side is once again obliged to draw the attention of the authorities in Tallinn, its partners in the Organization for Security and Cooperation in Europe (OSCE) and international organizations to the situation of the Russian-speaking population in Estonia. It has to be noted, unfortunately, not only that the situation has not changed for the better, but that, despite the efforts made, it is tending to deteriorate.

2. Among many other problems, the following situation is now a matter of the utmost concern. According to information coming from Tallinn, on 12 July 1996 the internal identity cards of the former USSR will cease to be valid in the territory of Estonia and the time-limit set by the Estonian authorities for the issue of residence permits to those who have so far been unable to obtain Estonian citizenship will expire. Of the 335,000 applications from persons in this category, only 23,500 have been acted on by the authorities. The numerous assurances by official representatives of Estonia to the effect that all non-citizens would receive aliens' identity cards by that date have remained a dead letter. Such identity cards have been issued only to 1,500 persons.

Thus, unless urgent and essential steps are taken by the Estonian authorities, hundreds of thousands of permanent residents of Estonia will find themselves, with effect from 12 July 1996, without a basic identity document and without official residence permits; in other words, they will, in effect, be in a legal vacuum and will be deprived of many of the most important rights and freedoms, including the possibility of leaving and returning to the country without hindrance. Nor is the situation resolved by the issue to non-citizens of a temporary one-time exit document, which, with rare exceptions, is recognized by nobody and which takes a great deal of time to process.

The Russian-speaking inhabitants of territories adjoining the Russian-Estonian State boundary in the Narva-Ivangorod sector will be in a particularly difficult situation after 12 July, since they will be deprived of the possibility of travelling without hindrance to work in Russia and of visiting their relatives there.

3. Almost two years after the signing of the bilateral agreement on social security for pensioners of the Russian armed forces, the Estonian side is continuing, in essence, to avoid giving effect to it. Out of over 17,000 applications for residence permits submitted in due form, a favourable decision has been taken only on 5,000, and only about 350 Russian retirees and members of their families have actually received the documents.

After 12 July 1996, the overwhelming majority of Russian military pensioners and members of their families will essentially remain in Estonia without documents attesting to the legality of their presence in the country.

4. The situation involving the Russian-speaking population in Estonia is the consequence of Tallinn's policy aimed at establishing a mono-ethnic State and thus forcing the non-Estonian population out of the country. A major instrument in the attainment of this objective is the contrived slowing down of the pace of naturalization. The recommendations of OSCE and of United Nations bodies on the importance of simplifying and facilitating this process are being ignored. There has been a trend towards increasing rigidity in the practical application of the law. It was only in 1995 that laws on citizenship and language were adopted, exacerbating the situation of the Russian-speaking population. The new law on elections to local self-government bodies is designed to reduce the Russian-speaking electorate to a minimum, and creates largely insuperable barriers for candidates of non-Estonian nationality.

5. As a consequence of discriminatory legislation and high-handedness among civil servants, there has been a significant increase in Estonia in the number of applicants for Russian citizenship. The Russian side is doing everything in its power to ensure that some 107,000 of its citizens in Estonia receive internationally acceptable identity documents. However, the 65,000 expatriate Russian passports so far issued in Estonia will be effective only when the Estonian authorities enter residence permits in them.

The rights of citizens of the Russian Federation resident in Estonia are also being restricted by all available means. For example, unlike the vast majority of other States which the Russian side requested to agree to the opening of additional polling stations, during the parliamentary and presidential elections in Russia, in places with a high density of Russian citizens, the Estonian authorities refused such a request.

6. The most recent actions by the Estonian leadership confirm Tallinn's determination to continue its policy of discrimination against the Russian-speaking population permanently resident in Estonia. Tallinn is not even willing to implement its own, essentially discriminatory, decisions. The situation that is taking shape is causing increasing concern in Moscow. It must be recognized in Tallinn that lawlessness and high-handedness directed against the Russian-speaking population cannot fail to affect bilateral relations. Nor can the international community remain indifferent and silent when human rights are once again trampled on in Estonia. We express the hope that our partners, the United Nations, OSCE and the Council of Europe will exert the necessary influence on the Estonian authorities to ensure that hundreds of thousands of permanent residents in Estonia do not find themselves after 12 July 1996 in a still more complex and ultimately hopeless situation.

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GENERAL ASSEMBLY
Fifty-first session
Item 43 of the preliminary list*
THE SITUATION IN BURUNDI

SECURITY COUNCIL
Fifty-first year

Letter dated 5 July 1996 from the Permanent Representative of Ireland to the Untied Nations addressed to the Secretary-General

I have the honour to transmit to you herewith a declaration which was issued on 5 July 1996 by the Presidency on behalf of the European Union concerning the recent Arusha Summit on Burundi.

I would be grateful if you could have the text of the present letter and its annex circulated as an official document of the General Assembly, under item 43 of the preliminary list, and of the Security Council.

(Signed) John H. F. CAMPBELL
Ambassador
Permanent Representative

* A/51/50.

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ANNEX

Declaration by the Presidency dated 5 July 1996 on behalf of the European Union concerning the Arusha Summit on Burundi

1. Recalling its declaration of 20 June 1996 (A/51/173-S/1996/469), the European Union congratulates President Mkapa on the organization of the Arusha Regional Summit, which has produced constructive proposals on the conflict in Burundi. It expresses appreciation of the untiring efforts of former President Nyerere and reiterates its support for his peace initiative.

2. The European Union encourages the region's heads of State and the Organization of African Unity (OAU) to commit themselves resolutely to supporting and giving substance to the Arusha recommendations and to contribute to the restoration of security in Burundi.

3. The European Union expects the President and the Prime Minister of Burundi to fulfil the undertakings they gave at the Summit to overcome the crisis in Burundi and, with the help of the countries of the region, to put an end to the violence which is destroying the people of Burundi.

4. The European Union calls upon all the political forces of Burundi to seek a political solution and to give a favourable reception to regional initiatives to restore peace to their country. It calls the attention of all parties to the conflict in Burundi to the fact that it condemns all forms of violence and that it will not recognize a Government that has taken power by force of arms. Only peace, a peace consolidated at the regional level, can guarantee the security of all and lay the foundations for economic and social development.

5. The European Union is prepared to support the realization of the Arusha objectives with a view to restoring peace and security in Burundi. It reiterates its readiness to help Burundi in its economic and social recovery when political and security conditions make it possible to begin its rehabilitation.

6. The European Union reiterates the need to convene the Conference on Peace, Security and Stability in the Great Lakes Region under the joint aegis of the United Nations and OAU.

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5 August 1996

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Fifty-first session

REQUEST FOR THE INCLUSION OF A SUPPLEMENTARY ITEM
IN THE AGENDA OF THE FIFTY-FIRST SESSION

FINANCING OF THE UNITED NATIONS SUPPORT MISSION IN HAITI

Note by the Secretary-General

1. The Secretary-General has the honour to request, pursuant to rule 14 of the rules of procedure of the General Assembly, the inclusion in the agenda of the fifty-first session of a supplementary item entitled "Financing of the United Nations Support Mission in Haiti".

2. Owing to the nature of the item, the Secretary-General further requests that it be allocated to the Fifth Committee.

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Fifty-first session

REQUEST FOR THE INCLUSION OF A SUPPLEMENTARY ITEM IN THE AGENDA OF THE FIFTY-FIRST SESSION

THE QUESTION OF ELABORATION OF AN INTERNATIONAL CONVENTION AGAINST ORGANIZED TRANSNATIONAL CRIME

Letter dated 8 August 1996 from the Chargé d'affaires a.i. of the Permanent Mission of Poland to the United Nations addressed to the Secretary-General

In accordance with rule 14 of the rules of procedure of the General Assembly, I have the honour to request that a new item, entitled "The question of elaboration of an international convention against organized transnational crime" be included in the agenda of the fifty-first session of the General Assembly.

I enclose a letter dated 5 August 1996 from Mr. Eugeniusz Wyzner, Secretary of State, First Deputy Minister for Foreign Affairs of the Republic of Poland, on behalf of the Government of the Republic of Poland, together with an explanatory memorandum.

(Signed) Zbigniew MATUSZEWSKI
Minister Plenipotentiary
Chargé d'affaires a.i.

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ANNEX

Letter dated 5 August 1996 from the Secretary of State, First Deputy Minister for Foreign Affairs of the Republic of Poland, addressed to the Secretary-General

On behalf of the Government of the Republic of Poland I have the honour, in accordance with rule 14 of the rules of procedure of the General Assembly, to request the inclusion in the agenda of the fifty-first session of the General Assembly the following supplementary item: "The question of elaboration of an international convention against organized transnational crime".

An explanatory memorandum is attached to this letter.

Warsaw, 5 August 1996

H.E. Mr. Boutros Boutros-Ghali
Secretary-General
of the United Nations

ATTACHMENT

Explanatory memorandum

The proposed elaboration and eventual adoption of the international convention against transnational crime was already at the centre of debate during the Eighth United Nations Congress on the Prevention of Crime and the Treatment of Offenders, held at Havana in 1990. During the Congress the pressing need for more and better international cooperation in combating organized crime was recognized by all participants. Four years later the General Assembly, in its resolution 49/159 of 23 December 1994, approved unanimously the Naples Political Declaration and Global Action Plan against Organized Transnational Crime, adopted at the World Ministerial Conference held at Naples, in November 1994.

The Ninth United Nations Congress on the Prevention of Crime and the Treatment of Offenders, held at Cairo in 1995, also underlined the necessity of the international community to respond to organized crime and to improve the mechanisms of regional and multilateral cooperation to combat it.

Further exploration of the feasibility of elaborating additional international instruments, including a convention on combating organized transnational crime, is in our opinion one of the most important and urgent measures called for in United Nations activities.

The Polish Government therefore strongly believes that the inclusion of this new item in the agenda of the fifty-first session of the General Assembly will be in accordance with current approaches to devising a useful model for cooperation among States Members of the United Nations, which could be utilized by all countries regardless of the sophistication of their respective criminal justice systems. In accordance with paragraph 18 of annex V to the rules of procedure of the General Assembly, it is suggested that the item in question be referred to the Third Committee or to the Sixth Committee of the General Assembly.

In the light of growing crime worldwide, the opening of the discussion during the coming session of the General Assembly on the elaboration of the convention would contribute greatly to the global struggle against the highly dangerous phenomenon of organized transnational crime and by the same token would permit Member States to concentrate their efforts on the conclusion of this important international instrument.

The inclusion of the said item in the agenda of the General Assembly will also allow the Organization to underscore its leading role in crime prevention all over the world.